

# Staff Summary Report

**Development Review Commission Date:** 04/22/08

**Agenda Item Number:** \_\_\_\_

**SUBJECT:** Hold a public hearing for a Planned Area Development Overlay for TEMPING LANDING, located at 125 South Priest Drive.

**DOCUMENT NAME:** DRCr\_Tempe\_Landing\_042208

**PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Request for **TEMPE LANDING (PL070508)** (Tom Meissner, Vaughan Street LLC, property owner; David Thorson, McShane Construction Corporation, applicant) consisting of a commercial development of two mid-rise office buildings with combined area of 420,406 s.f. and a parking garage of 516,892 s.f. of area on a site of approximately 7.68 acres located at 125 South Priest Drive in the GID, General Industrial District and the Rio Salado Overlay.. The request includes the following:

**PAD08003 – (Ordinance No. 2008.17)** Planned Area Development Overlay to modify development standards to allow a building height increase from 35'-0" to 101'-0" for the two office buildings and from 35'-0" to 96'-0" for the garage.

**PREPARED BY:** Kevin O'Melia, Senior Planner (480-350-8432)

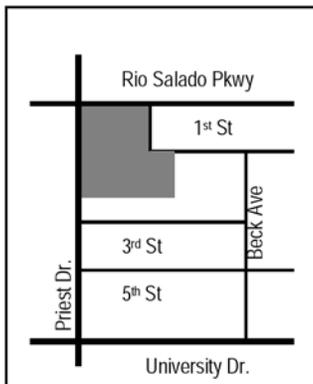
**REVIEWED BY:** Lisa Collins, Development Services Planning Director (480-350-8989) 

**LEGAL REVIEW BY:** N/A

**FISCAL NOTE:** N/A

**RECOMMENDATIONS:** **Staff – Approval, subject to conditions**  
**Rio Salado Advisory Commission – Approval**  
**Riverside Sunset Neighborhood Association -- Approval**

**ADDITIONAL INFO:**



Gross/Net Site Area	7.68 acres
Office Buildings Area	420,406 s.f.
Garage Area	516,892 s.f.
Lot Coverage	46.1 % (100% maximum allowed)
Office Building Height	101'-0" (PAD standard: increase from 35'-0")
Garage Height	96'-3" (PAD standard, increase from 35'-0")
Front Bld'g Setback	30'-11" (north, Rio Salado Pkwy.—25'-0" minimum)
Streetside Bld'g. Setback	46'-1" (west, Priest Dr.—25'-0" minimum)
Streetside Bld'g. Setback	26'-0-1/2" (east, 1st St.—25'-0" minimum)
Streetside Bld'g. Setback	35'-0-1/2" garage (north, 1st St.—25'-0" minimum)
Side Bld'g. Setback	25'-6" garage (east—0'-0" minimum)
Rear Bld'g. Setback	30'-6" garage (south 0'-0" minimum)
Landscape area	34.1% (10% minimum required)
Vehicle Parking	1,511 spaces (1,402 minimum required)
Bicycle Parking	56 spaces (53 minimum required)
GP2030 Projected Land Use	Commercial

- PAGES:**
1. List of Attachments
  - 2-4. Comments / Reasons for Approval
  5. Conditions of Approval
  6. Code / Ordinance Requirements
  7. History & Facts / Zoning & Development Code Reference

- ATTACHMENTS:**
- 1-7. Ordinance No. 2008.17
  - 8-9. Waiver of Rights and Remedies form
  10. Location Map
  11. Aerial Photo
  - 12-15. Applicant's Letter of Intent
  16. P.A.D. Title Sheet and Project Data
  17. Site plan
  18. Garage Step-back Vignettes
  19. Site Context Sections: East-West looking North and North-South looking West
  - 20-25. Office: First through Sixth Floor Plans (typical of two buildings)
  - 26-32. Garage: First through Seventh Floor Plans
  33. Conceptual Rendering, View of Development from Northwest
  - 34-35. Office: Elevations (typical of two buildings)
  - 36-37. Garage: Elevations
  38. Landscape Plan and Conceptual Plant List
  - 39-47. Shadow Studies at Summer Solstice, Equinox and Winter Solstice
  48. Photo Exhibit Location Key
  - 49-53. Site Photos
  - 54-57. Federal Aviation Administration Coordinate Height Data, NE, NW, SW and SE Corners
  - 58-60. Federal Aviation Administration Determination of No Hazard to Air Navigation (NE Corner) (this finding is typical of the four corners presented).
  61. City of Phoenix Aviation Department Memorandum of Determination that the use and height of Tempe Landing is acceptable to aircraft operations at Phoenix Sky Harbor Airport.
  62. Riverside-Sunset Neighborhood Association Memorandum on Tempe Landing recommending approval.
  - 63-64. Development Services Planning Staff notes of Rio Salado Advisory Commission recommendations of approval for Tempe Landing
  65. Transportation Division's 4/8/2008 Memorandum on Tempe Landing Traffic Impact
  - 66-67. Applicant's Memorandum Summary of Public Outreach including 4/7/2008 Neighborhood Meeting Notes
  - 68-70. Roster of 4/7/2008 Neighborhood Meeting Attendees and Attendee Note Sheets

## COMMENTS:

This site is located at the southeastern corner of Rio Salado Parkway and Priest Drive. Rio Salado is the northern border. Priest is the western border. The site formerly was bisected by First Street. This east-west oriented street has been realigned with a northern leg to connect to Rio Salado Parkway. The northern leg of First Street forms part of the eastern edge of the site. The site area south of the old First Street alignment includes the existing Wilson Electric Corporate Headquarters. The site north of the old First Street alignment is vacant. The site is contained within the Rio Salado Overlay District.

Properties in the R-3, Multi-Family Residential Limited zoning district are located to the south and west of the Wilson Electric development. These properties contain one and two story residential apartment complexes with mature landscaping and a building height range of approximately fifteen to thirty feet. The exception is a one large (1.3 acre) property at the northwest corner of 3<sup>rd</sup> Street and Priest Drive, immediately south of the western portion of the project site. This property is also in the R-3 District but contains a single family residential use, approximately twelve feet in height, with several minor residential outbuildings.

The Wilson Electric development that occupies the southeastern portion of the Tempe Landing site, which is proposed for removal, is a 49,000 square foot two story office/warehouse building with an overall building height of thirty feet and approximately 160 surface parking spaces. The existing building and parking were positioned to avoid masts for a major 230KV overhead power structural support. This structure, which was located at the southwestern portion of the Tempe Landing site, has since been removed and the lines have been placed underground. The old First Street alignment through the site has also been abandoned. There are no existing entitlements for this site that remain in effect. A variance (allowing a height of fifty feet) for an unexecuted hotel project that predates Wilson Electric has been allowed to lapse. The site has several landscape specimens that are included on the native/protected list of the State Agricultural Department and will require survey and relocation prior to the clearance of land.

Tempe Landing has submitted a request for a Planned Area Development Overlay which includes a height increase for two office buildings and parking garage. The General Industrial District allows a height of 35'-0". Tempe Landing seeks a height of 101'-0" for the office buildings and 96'-0" for the garage. The applicant is requesting the Development Review Commission provide a recommendation of approval to City Council for the Planned Area Development Overlay.

For further processing, the applicant will request approval from the Development Review Commission for development review of the building elevations, site plan and landscape plan of Tempe Landing. The development is envisioned as two phases, with Building A (the north office building) and the west half the garage in Phase 1. The development plan review has already been submitted. The applicant will also need approval of a Subdivision Plat to combine the several lots of the site into one.

## PUBLIC INPUT

- The applicant presented Tempe Landing at a meeting of the Riverside Sunset Neighborhood Association on November 6, 2007. The Neighborhood Association suggested the inclusion of a coffee shop or social entity in one of the office buildings. See attached summary of the meeting and recommendation of approval provided by the chairman of that association.
- A neighborhood meeting was held on April 7, 2008 from 6:00 p.m. to 7:00 p.m. at the Westside Multi-Generational Center Riverside Room, 715 West 15<sup>th</sup> Street, Tempe. One adjacent property owner and two members of the Riverside Sunset Neighborhood Association attended the meeting, along with the property owner, members of the development team and one Development Services staff member. The applicant's intent is to provide a LEED certified development, which will include recycling the materials of the Wilson Electric building, salvage of existing native/protected landscape material, use of low-water using landscape per the direction of the Arizona Department of Water Resources, and the creation of energy conserving office buildings. The applicant has also emphasized the position of site driveways to direct traffic north to the freeway and away from the neighborhood, and the desire to position light fixtures in the garage that direct light away from the neighborhood. The presentation was favorably received. See attached summary of meeting provided by the applicant.

## GOVERNMENTAL INPUT

- Development Services Planning staff presented Tempe Landing at two meetings (January 3, and March 25, 2008) of the Rio Salado Advisory Commission. The Advisory Commission recommended approval of Tempe Landing on each occasion and requested a coffee shop or restaurant in one of the buildings. See attached meeting summaries provided by staff.
- The applicant presented building height for Tempe Landing to the Federal Aviation Administration. The F.A.A. has responded with a Determination of No Hazard to Air Navigation. See attached Notices of the four coordinates and the F.A.A. Determination of No Hazard for the Northeast Corner (this is typical of the four corners).

- The applicant presented the building height for Tempe Landing to the City of Phoenix Aviation Department. C.O.P. Aviation has responded that the use and height of the buildings are acceptable to aircraft operations at Phoenix Sky Harbor International Airport. C.O.P. Aviation asked for a further F.A.A. submittal and C.O.P. Aviation review if a crane that exceeds the height of the building is used during construction. See attached memorandum from C.O.P. Aviation.
- The applicant's traffic consultant (Civtech) has submitted a Traffic Impact Study for review by Traffic Engineering. This study has been analyzed by the Traffic Engineering staff and returned to Civtech for adjustments. See attached memorandum from Public Works Transportation Division staff.

## PROJECT ANALYSIS

### PLANNED AREA DEVELOPMENT

The development standard for height in the General Industrial District is proposed for modification by Tempe Landing. This height increase is consistent with the emerging corridor of built development along Rio Salado Parkway and is demonstrated by the Site Context Sections included with the attachments.

The following table indicates the proposed Planned Area Development Overlay development standards for Tempe Landing in comparison with the standards for the General Industrial District as enumerated in the Zoning and Development Code Table 4-204. The general office parking standard as indicated in the ZDC Table 4-603, in comparison with what parking is provided, is also indicated at the bottom of the table. P.A.D. standards for height that exceed the GID District standard are highlighted in bold text.

Building & Site Standard	GID	GID (PAD)
Building Height and Step-Back Standards		
Maximum Height per ZDC Table 4-204	35.0 ft	-
Proposed Height to tallest portion of Office Buildings	-	<b>101.0 ft</b>
Proposed Height to tallest portion of Garage	-	<b>96.25 ft</b>
Building Height Step-Back Required Adjacent to SF or MF District or Use	Yes	Yes
Lot Standards		
Maximum Lot Coverage	100 %	-
Proposed Maximum Lot Coverage = (1 <sup>st</sup> floor area over min. lot area) = ( 154,414sf / 334,672 sf)	-	46.1 %
Landscape Standards		
Minimum Lot Landscape Area / Net Site Area per ZDC Table 4-204	10 %	-
Minimum Lot Landscape Area per P.A.D. = (114,292 sf / 334,672 sf)	-	34.1 %
Setback Standards		
Front and Street-side Building per ZDC Table 4-204	25 ft	-
Front (north to Rio Salado Pkwy.) Building per P.A.D.	-	30.91 ft
Street-side (west to Priest Dr.) Building per P.A.D.	-	46.08 ft
Street-side (east to First St.) Building per P.A.D.	-	26.04 ft
Street-side (north to First St.) Building per P.A.D.	-	35.04 ft
Front and Street-side Surface Parking per ZDC Table 4-204	20.0 ft	20.0 ft
Side Building per ZDC Table 4-204	0 ft	-
Side (east) Building / Parking Structure per P.A.D.	-	25.50 ft
Rear Building per ZDC Table 4-204	0 ft	-
Rear (south) Building / Parking Structure per P.A.D.	-	30.50 ft
<b>Parking Standard</b>	<b>ZDC.Tab. 4-603 E</b>	<b>PAD Overlay</b>
Vehicle Parking Standard		
General Office (1 space per 300 sf) x 420,406 sf office per ZDC Table 4-603(E)	1,401	-
Proposed Office Vehicle Parking Quantity (1,447 spaces in garage and 64 spaces on surface)	-	1,511
Bicycle Parking Standard		
General Office (1 space per 8,000 sf) x 420,406 sf office per ZDC Table 4-603(E)	53	-
Proposed Office Bicycle Parking Quantity (One per Dwelling Unit Garage)	-	56

The office building and garage allowable height is being increased to provide office area for the site in an amount that supports the anticipated demand for office space at this location and justifies the cost of the land and development, including the recycling and demolition of the existing building and other site preparation. Accordingly, the height of the garage is increased to provide adequate parking for the offices. The height indicated for the office is to the highest point of roof in the central core of each office building while the height of the parapet surrounding the main roof is approximately 87'-0". The office buildings are situated away from adjacent residential development. The height indicated for the garage is to the highest point of the stair tower in the northwest corner of the garage. The height of the parapet at the top parking level is approximately 78'-0". Moreover, the garage structure is stepped back at the south and east elevations in accordance with the development standard (ZDC Sec. 4-404) that respects the air rights of residential properties adjacent to development. The parapet at the highest garage deck (level 5) prior to the step-back is approximately 56'-0". Also, the side yard (minimum 25'-6") and rear yard (30'-6") setbacks between garage and adjacent residential properties are wide enough to allow a double row of spreading canopy trees. The developer's intent, as demonstrated on the landscape plan, is to provide a dense tree screen that at maturity will completely screen the garage from the residential use.

### **Conclusion**

Based on the information provided by the applicant, the public input received and the analysis by staff, staff recommends approval of the requested Planned Area Development. This request meets the required criteria and will conform to the conditions of approval.

### **REASONS FOR APPROVAL:**

1. The project meets the General Plan Projected Land Use of "Commercial" for this site. The proposed office land use is permitted in the General Industrial District (ZDC Table 3-302A).
2. The development will conform to the standards listed above, as established as part of the P.A.D. Overlay District. The P.A.D. overlay process was specifically created to allow for flexibility in development standards, including increased building height, in exchange for a quality design which includes mitigation of the design impact on the surroundings. The observance of step backs in the design of the garage, coupled with a generous landscape buffer at the south and east borders, demonstrates mitigation of large building massing with respect to adjacent residential land use. This is an example of an effective transition between dissimilar land uses.
3. The proposed P.A.D. conforms to the provisions of the Rio Salado Overlay District (ZDC Sec. 5-101 through 5-104).
4. The conditions of approval are reasonable to ensure conformance with the provisions of the Zoning and Development Code.

## CONDITIONS OF APPROVAL:

EACH NUMBERED ITEM IS A CONDITION OF APPROVAL. THE DECISION-MAKING BODY MAY MODIFY, DELETE OR ADD TO THESE CONDITIONS.

### General

1. A building permit shall be obtained on or before June 5, 2010 or the property may revert to the previous zoning designation, subject to a formal public hearing.
2. The property owner(s) shall sign a waiver of rights and remedies pursuant to A.R.S. §12-1134 that may now or in the future exist, releasing the City from any potential claims under Arizona's Private Property Rights Protection Act, which shall be submitted to the Development Services Department no later than July 5, 2008, thirty calendar days after the date of approval, or the Planned area Development Overlay approval shall be null and void.
3. The Planned Area Development Overlay for Tempe Landing shall be put into proper engineered format with appropriate signature blanks and kept on file with the City of Tempe's Development Services Department prior to issuance of building permits.
4. Maximum height of structure, as measured from the top of curb adjacent to the center of the front-yard of the site, to the highest portion of the roof or parapet of the following:
  - a. for each office building, shall not exceed 101'-0".
  - b. for the garage, shall not exceed 96'-3".
5. The increased height exception stipulated in ZDC Sec. 4-205(A) shall be waived for the office buildings and the garage.
6. Where a temporary site structure that exceeds the height of the buildings is utilized, such as a construction crane, submit height coordinate(s) for the structure(s) to the Federal Aviation Administration and the City of Phoenix Aviation Department for review and obtain written approvals from each agency prior to issuance of a building permit for Phase 1.
7. At the landscape buffer consisting of a double row of Dalbergia sissoo adjacent to the south and east sides of the garage, the inner row (the row closer to the garage) shall be 36" box size at installation. The remainder of the double tree row on the south and east property lines may be 24" box size at installation as indicated. Include the double tree row and supporting irrigation along the full length of the east and south property lines as part of Phase 1.
8. The developer shall receive approval of the final Traffic Impact Study from the Traffic Engineer prior to issuance of a building permit for Phase 1.

**CODE/ORDINANCE REQUIREMENTS:**

THE BULLETED ITEMS REFER TO EXISTING CODE OR ORDINANCES THAT PLANNING STAFF OBSERVES ARE PERTINENT TO THIS CASE. THE BULLET ITEMS ARE INCLUDED TO ALERT THE DESIGN TEAM AND ASSIST IN OBTAINING A BUILDING PERMIT AND ARE NOT AN EXHAUSTIVE LIST.

- **ZONING & DEVELOPMENT CODE:** requirements of the Zoning and Development Code apply to any application. Become familiar with the ZDC to avoid unnecessary review time and reduce the potential for multiple plan check submittals. The ZDC may be accessed through [www.tempe.gov/zoning](http://www.tempe.gov/zoning) or purchased at Development Services.
- **BUILDING HEIGHT:** Measure height of buildings and garage from top of curb along front of property (as defined by Zoning and Development Code).
- **LANDSCAPE:** There is no waiver of landscape/shade requirement at parking areas over site utility easements. In the Development Plan Review submittal, indicate required landscape for parking in accordance with ZDC 4-704(A) option 1 or option 2.
- **SUBDIVISION PLAT:** A Subdivision Plat is required for this development and shall be recorded prior to issuance of a building permit for Phase 1, or at a date as allowed by the Development Services Building Safety Division.

**HISTORY & FACTS:**

- August 26, 1998 Board of Adjustment (BA980237) took the following action on the request for the Priest and 1<sup>st</sup> Street Hotel.
- a. Denied a variance to allow building materials other than reinforced concrete or masonry in the I-1 District.
  - b. Granted a use permit to allow a 156 room hotel on 4.98 acres in an Industrial District.
  - c. Approved a variance to increase the maximum allowable building height for the proposed hotel from 30' to 50' in the I-1 District.
- The project is located at 235 South Priest Drive in the I-1, Light Industrial District.  
Note: the hotel site included the southern portion of the proposed Tempe Landing site. At the time of the hotel proposal, First Street connected directly to Priest Drive.  
Note: the approved variance for the height increase was specific to the hotel project and was allowed to lapse on August 27, 1999. The hotel project was not realized.
- November 17, 1999 Design Review Board (DRB99327) approved the building elevations, site plan and landscape plan for Wilson Electric Corporate Headquarters located at 235 South Priest Drive in the I-1, Light Industrial District and Rio Salado Overlay District.
- November 6, 2007 Riverside Sunset Neighborhood Association recommended approval of the Tempe Landing Office Development based on review of the preliminary P.A.D. exhibits presented by McShane Construction Corporation.
- January 3, 2008 Rio Salado Advisory Commission recommended approval of Tempe Landing Office Development based on review of the preliminary P.A.D. exhibits presented by Development Services Planning Staff.
- March 25, 2008 Rio Salado Advisory Commission recommended approval of Tempe Landing Office Development based on review of the revised P.A.D. exhibits presented by Development Services Planning Staff.
- April 7, 2008 Applicant conducted a neighborhood meeting to present Tempe Landing. The meeting was held at the Westside Multi-Generational Center. Three members of the public attended the meeting with the property owner, several members of the development team, and one Development Services planning staff member. The project was favorably received by the members of the public.

**ZONING AND DEVELOPMENT CODE REFERENCE:**

Section 6-305, Planned Area Development (PAD) Overlay districts

ORDINANCE NO. 2008.17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING THE CITY OF TEMPE ZONING MAP, PURSUANT TO THE PROVISIONS OF ZONING AND DEVELOPMENT CODE PART 2, CHAPTER 1, SECTION 2-106 AND 2-107, RELATING TO THE LOCATION AND BOUNDARIES OF DISTRICTS.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

Section 1. That the City of Tempe Zoning Map is hereby amended, pursuant to the provisions of Zoning and Development Code, Part 2, Chapter 1, Section 2-106 and 2-107, by removing the below described property from the GID, General Industrial District within the Rio Salado Overlay District and designating it as GID (PAD), General Industrial District with a Planned Area Development Overlay and within the Rio Salado Overlay District on 9.72 acres.

LEGAL DESCRIPTION

**PARCEL NO. 1**

LOT 48 OF STATE PLAT NO. 9, SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, PER MAP RECORDED IN BOOK 23 OF MAPS, PAGE 48 IN THE OFFICE OF THE MARICOPA COUNTY RECORDER;

EXCEPT THAT PORTION DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 48;

THENCE NORTH 60 DEGREES 22 MINUTES 02 SECONDS EAST TO THE NORTHEAST CORNER OF SAID LOT 48, 114.77 FEET;

THENCE SOUTH 00 DEGREES 56 MINUTES 09 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 48, 138.29 FEET TO A POINT;

THENCE SOUTH 60 DEGREES 12 MINUTES 12 SECONDS WEST, 54.27 FEET TO A POINT OF CURVE;

THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1702.02 FEET, A CENTRAL ANGLE OF 02 DEGREES 00 MINUTES 47 SECONDS, AN ARC LENGTH OF 59.80 FEET, AND A CHORD WHICH BEARS SOUTH 61 DEGREES 12 MINUTES 36 SECONDS WEST TO A POINT ON THE WEST LINE OF SAID LOT 48;

THENCE NORTH 01 DEGREES 02 MINUTES 59 SECONDS WEST 137.31 FEET TO THE POINT OF BEGINNING.

**PARCEL NO. 2**

THE SOUTH 142.00 FEET OF LOTS 49 AND 50, STATE PLAT NO. 9, SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, PER MAP RECORDED IN BOOK 23 OF MAPS, PAGE 48 IN THE OFFICE OF THE MARICOPA COUNTY RECORDER;

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 49;

THENCE SOUTH 01 DEGREES 02 MINUTES 59 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 49, A DISTANCE OF 137.31 FEET TO A POINT ON A CURVE;

THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1702.02 FEET, A CENTRAL ANGLE OF 06 DEGREES 23 MINUTES 32 SECONDS, AN ARC LENGTH OF 189.89 FEET, AND A CHORD WHICH BEARS SOUTH 65 DEGREES 24 MINUTES 45 SECONDS WEST TO A POINT 30.00 FEET EAST OF THE WEST LINE OF SAID LOT 50;

THENCE SOUTH 35 DEGREES 59 MINUTES 05 SECONDS WEST TO A POINT ON THE WEST LINE OF SAID LOT 50, A DISTANCE OF 51.21 FEET;

THENCE NORTH 00 DEGREES 07 MINUTES 15 SECONDS EAST TO A POINT 142.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 50, A DISTANCE OF 58.00 FEET;

THENCE NORTH 89 DEGREES 41 MINUTES 54 SECONDS EAST PARALLEL TO AND 142.00 FEET NORTH OF THE SOUTH LINE OF

SAID LOT 50 TO A POINT 17.00 FEET EAST OF THE WEST LINE OF SAID LOT 50, A DISTANCE OF 17.00 FEET;

THENCE NORTH 00 DEGREES 07 MINUTES 15 SECONDS EAST PARALLEL TO AND 17.00 FEET EAST OF SAID WEST LINE TO A POINT ON THE NORTHERN LINE OF SAID LOT 50, A DISTANCE OF 95.60 FEET;

THENCE NORTH 60 DEGREES 22 MINUTES 02 SECONDS EAST, A DISTANCE OF 210.34 FEET TO THE POINT OF BEGINNING.

**PARCEL NO. 3**

LOT 49 AND 50, STATE PLAT NO.9, SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, PER MAP RECORDED IN BOOK 23 OF MAPS, PAGE 48 IN THE OFFICE OF THE MARICOPA COUNTY RECORDER;

EXCEPTING THEREFROM THE SOUTH 142.00 FEET; ALSO

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 49;

THENCE SOUTH 01 DEGREES 02 MINUTES 59 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 49, 137.31 FEET TO A POINT ON A CURVE;

THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1702.02 FEET, A CENTRAL ANGLE OF 06 DEGREES 23 MINUTES 32

SECONDS, AN ARC LENGTH OF 189.89 FEET, AND A CHORD WHICH BEARS SOUTH 65 DEGREES 24 MINUTES 45 SECONDS WEST TO A POINT 30.00 FEET EAST OF THE WEST LINE OF SAID LOT 50;

THENCE SOUTH 35 DEGREES 59 MINUTES 05 SECONDS WEST TO A POINT ON THE WEST LINE OF SAID LOT 50, 51.21 FEET;

THENCE NORTH 00 DEGREES 07 MINUTES 15 SECONDS EAST, 58.00 FEET TO A POINT 142.00

FEET NORTH OF THE SOUTH LINE OF SAID LOT 50;

THENCE NORTH 89 DEGREES 41 MINUTES 54 SECONDS EAST PARALLEL TO AND 142.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 50, 17.00 FEET, TO A POINT 17.00 FEET EAST OF THE WEST LINE OF SAID LOT 50;

THENCE NORTH 00 DEGREES 07 MINUTES 15 SECONDS EAST PARALLEL TO AND 17.00 FEET EAST OF SAID WEST LINE, 95.50 FEET, TO A POINT ON THE NORTHERN LINE OF SAID LOT 50;

THENCE NORTH 60 DEGREES 22 MINUTES 02 SECONDS EAST, 210.34 FEET TO THE POINT OF BEGINNING.

**PARCEL NO. 4**

LOTS 45, 46 AND 47, STATE PLAT NO.9, SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, PER MAP RECORDED IN BOOK 23 OF MAPS, PAGE 48 IN THE OFFICE OF THE MARICOPA COUNTY RECORDER;

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 47;

THENCE NORTH 60 DEGREES 22 MINUTES 02 SECONDS EAST ALONG THE NORTH LINE OF SAID LOTS 47 AND 46, 151.03 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 46;

THENCE NORTH 64 DEGREES 49 MINUTES 39 SECONDS EAST, CONTINUING ALONG SAID NORTH LINE OF LOT 46 AND LOT 45, 186.09 FEET TO THE NORTHEAST CORNER OF SAID LOT 45;

THENCE SOUTH 00 DEGREES 42 MINUTES 26 MINUTES EAST ALONG THE EAST LINE OF SAID LOT 45, 120.93 FEET;

THENCE SOUTH 60 DEGREES 12 MINUTES 12 SECONDS WEST, 155.06 FEET;

THENCE SOUTH 16 DEGREES 56 MINUTES 32 SECONDS WEST, 29.18 FEET TO A POINT ON A CURVE;

THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 319.48 FEET, A CENTRAL ANGLE OF 23 DEGREES 35 MINUTES 42 SECONDS, AN ARC LENGTH OF 131.56 FEET, AND A CHORD WHICH BEARS SOUTH 12 DEGREES 37 MINUTES 09 SECONDS EAST TO ITS POINT OF TANGENCY;

THENCE SOUTH 00 DEGREES 49 MINUTES 18 SECONDS EAST, 155.71 FEET TO A POINT OF CURVE;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 41.00 FEET, A CENTRAL ANGLE OF 89 DEGREES 28 MINUTES 48 SECONDS, AN ARC LENGTH OF 64.03 FEET, AND A CHORD WHICH BEARS SOUTH 45 DEGREES 33 MINUTES 42 SECONDS EAST, TO ITS POINT OF TANGENCY ON THE SOUTH LINE OF SAID LOT 45;

THENCE SOUTH 89 DEGREES 41 MINUTES 54 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOTS 45 AND 46, 122.15 FEET TO A POINT ON A CURVE;

THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 59.00 FEET, A CENTRAL ANGLE OF 25 DEGREES 31 MINUTES 33 SECONDS, AN ARC LENGTH OF 26.92 FEET, AND A CHORD WHICH BEARS NORTH 19 DEGREES 16 MINUTES 31 SECONDS EAST TO A POINT OF REVERSE

CURVE;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 41.00 FEET, A CENTRAL ANGLE OF 32 DEGREES 51 MINUTES 36 SECONDS, AN ARC LENGTH OF 23.51 FEET AND A CHORD WHICH BEARS NORTH 15 DEGREES 36 MINUTES 30 SECONDS EAST, TO ITS POINT OF TANGENCY;

THENCE NORTH 00 DEGREES 49 MINUTES 18 SECONDS WEST, 148.87 FEET TO A POINT OF CURVE;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 253.48 FEET, A CENTRAL ANGLE OF 22 DEGREES 11 MINUTES 18 SECONDS, AN ARC LENGTH OF 98.16 FEET AND A CHORD WHICH BEARS NORTH 11 DEGREES 54 MINUTES 57 SECONDS WEST TO A POINT ON A LINE;

THENCE NORTH 72 DEGREES 27 MINUTES 27 SECONDS WEST, A DISTANCE OF 27.19 FEET TO A POINT;

THENCE SOUTH 60 DEGREES 12 MINUTES 12 SECONDS WEST, TO A POINT ON THE WEST LINE OF SAID LOT 47, 83.37 FEET;

THENCE NORTH 00 DEGREES 56 MINUTES 09 SECONDS WEST, 138.29 FEET TO THE POINT OF BEGINNING.

**PARCEL NO. 5**

LOT 34, BEING PART OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN ON STATE PLAT NO. 12 AMENDED, ACCORDING TO BOOK 69 OF MAPS, PAGE 38, RECORDS OF MARICOPA COUNTY, ARIZONA;

EXCEPTING THEREFROM 1/16TH OF ALL GAS, OIL, METAL AND MINERAL RIGHTS AS RESERVED TO THE STATE OF ARIZONA IN RECORDED PATENT TO SAID LAND.

**PARCEL NO. 6**

ALL THAT PORTION OF THE FOLLOWING PROPERTY LYING WESTERLY OF THE NORTHERLY AND SOUTHERLY PROLONGATIONS OF PARCEL NO. 1 HEREIN, AS ABANDONED IN INSTRUMENT RECORDED IN DOCKET 15785, PAGE 734, DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA,

DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 16, SAID CORNER ALSO BEING THE CENTERLINE INTERSECTION OF PRIEST AND UNIVERSITY DRIVES;

THENCE NORTH 00 DEGREES 16 MINUTES WEST (ASSUMED BEARING) ALONG THE CONSTRUCTION CENTERLINE OF PRIEST DRIVE, 1642.66 FEET TO AN INTERSECTION WITH THE CENTERLINES OF PRIEST DRIVE AND 4TH STREET, SAID INTERSECTION ALSO BEING ON A POINT OF CURVATURE CONCAVE TO THE WEST AND HAVING A RADIUS OF 1200.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CONSTRUCTION CENTERLINE OF PRIEST DRIVE THROUGH A CENTRAL ANGLE OF 4 DEGREES 38 MINUTES 01 SECONDS, A DISTANCE OF 97.05 FEET TO A POINT OF TANGENCY;

THENCE NORTH 04 DEGREES 54 MINUTES 01 SECONDS WEST ALONG SAID CONSTRUCTION CENTERLINE, 200.00 FEET TO A POINT OF CURVATURE CONCAVE TO THE EAST AND HAVING A RADIUS OF 1200.00 FEET;

THENCE NORTHERLY ALONG SAID CONSTRUCTION CENTERLINE, 97.05 FEET TO A POINT OF TANGENCY;

THENCE NORTH 00 DEGREES 16 MINUTES WEST ALONG SAID CONSTRUCTION CENTERLINE OF PRIEST DRIVE, 517.26 FEET TO AN INTERSECTION WITH THE WESTERLY PROLONGATION OF THE NORTH LINE OF LOT 34, STATE PLAT NO. 12 AMENDED, A SUBDIVISION ACCORDING TO BOOK 69 OF MAPS, PAGE 38, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 18 MINUTES 40 SECONDS EAST ALONG SAID PROLONGATION TO AN INTERSECTION WITH A LINE PARALLEL TO AND 75.00 FEET EAST OF THE CONSTRUCTION LINE OF SAID PRIEST DRIVE AND THE POINT OF BEGINNING OF SAID ABANDONMENT DESCRIBED HEREIN;

THENCE SOUTH 45 DEGREES 12 MINUTES 40 SECONDS WEST 28.18 FEET TO AN INTERSECTION WITH A LINE PARALLEL TO AND 55.00 FEET EAST OF SAID CONSTRUCTION CENTERLINE OF PRIEST DRIVE;

THENCE SOUTH 00 DEGREES 16 MINUTES EAST, PARALLEL TO SAID CONSTRUCTION CENTERLINE, A DISTANCE OF 497.26 FEET TO A POINT OF CURVATURE CONCAVE TO THE EAST AND HAVING A RADIUS OF 1145.00 FEET;

THENCE SOUTHERLY ALONG SAID CURVE 39 FEET, MORE OR LESS, TO AN INTERSECTION WITH A LINE PARALLEL TO AND 45.00 FEET NORTH OF THE CONSTRUCTION CENTERLINE OF THIRD STREET;

THENCE SOUTHEASTERLY TO AN INTERSECTION WITH A LINE PARALLEL TO AND 75.00 FEET EAST OF SAID CONSTRUCTION CENTERLINE OF PRIEST DRIVE, SAID INTERSECTION BEING 25.00 FEET, PERPENDICULAR DISTANCE, NORTH OF THE CONSTRUCTION CENTERLINE OF SAID THIRD STREET AND THE WESTERLY PROLONGATION OF THE SOUTH LINE OF LOT 35 OF SAID STATE PLAT NO. 12 AMENDED;

THENCE NORTH 89 DEGREES 48 MINUTES 10 SECONDS EAST ALONG SAID PROLONGATION TO AN INTERSECTION WITH THE

SOUTHWESTERLY POINT OF CURVATURE WITH THE SOUTH LINE OF SAID LOT 35, SAID CURVE HAVING A RADIUS OF 12.14 FEET CONCAVE TO THE NORTHEAST;

THENCE NORTHWESTERLY ALONG SAID CURVE AND LOT LINE OF SAID LOT 35, A DISTANCE OF 12.14 FEET TO A POINT OF TANGENCY WITH THE WEST LINE OF SAID LOT 35;

THENCE NORTH 0 DEGREES 16 MINUTES WEST ALONG THE WEST LINE OF SAID LOTS 35 AND 34 TO A POINT OF CURVATURE AT THE NORTHWEST CORNER OF SAID LOT 34, SAID CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 12.09 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE AND LOT LINE, 18.90 FEET TO THE POINT OF TANGENCY WITH THE NORTH LINE OF SAID LOT 34;

THENCE WESTERLY ALONG THE WESTERLY PROLONGATION OF THE NORTH LINE OF SAID LOT 34 TO THE POINT OF BEGINNING.

EXCEPTING FROM PARCEL NOS. 5 AND 6 ABOVE, THE FOLLOWING DESCRIBED PROPERTY:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 16, SAID CORNER ALSO BEING THE CENTERLINE INTERSECTION OF PRIEST AND UNIVERSITY DRIVES;

THENCE NORTH 00 DEGREES 16 MINUTES 00 SECONDS WEST (ASSUMED BEARING) ALONG THE CONSTRUCTION CENTERLINE OF

PRIEST DRIVE, 1642.66 FEET TO AN INTERSECTION WITH THE CENTERLINES OF PRIEST DRIVE AND 4TH STREET, SAID INTERSECTION ALSO BEING ON A POINT OF CURVATURE CONCAVE TO THE WEST AND HAVING A RADIUS OF 1200.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CONSTRUCTION CENTERLINE OF PRIEST DRIVE, THROUGH A CENTRAL ANGLE OF 04 DEGREES 38 MINTUES 01 SECONDS, A DISTANCE OF 97.05 FEET TO A POINT OF TANGENCY;

THENCE NORTH 04 DEGREES 54 MINUTES 01 SECONDS WEST ALONG SAID CONSTRUCTION CENTERLINE, 200.00 FEET TO A POINT OF CURVATURE CONCAVE TO THE EAST AND HAVING A RADIUS OF 1200.00 FEET;

THENCE NORTHERLY ALONG SAID CONSTRUCTION CENTERLINE, 97.50 FEET TO A POINT OF TANGENCY;

THENCE NORTH 00 DEGREES 16 MINUTES 00 SECONDS WEST ALONG SAID CONSTRUCTION CENTERLINE OF PRIEST DRIVE, 517.26 FEET TO AN INTERSECTION WITH THE WESTERLY PROLONGATION OF THE NORTH LINE OF LOT 34, STATE PLAT NO. 12 AMENDED, A SUBDIVISION ACCORDING TO BOOK 69 OF MAPS, PAGE 38, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 18 MINUTES 40 SECONDS EAST ALONG SAID PROLONGATION TO AN INTERSECTION WITH A LINE PARALLEL TO AND 75.00 FEET EAST OF THE CONSTRUCTION LINE OF SAID PRIEST DRIVE AND THE TRUE POINT OF BEGINNING;

THENCE SOUTH 03 DEGREES 46 MINUTES 09 SECONDS WEST, 285.47 FEET TO A POINT ON THE EXISTING EAST RIGHT OF WAY

LINE OF PRIEST DRIVE, SAID EAST RIGHT OF WAY LINE ALSO BEING THE WESTERLY LINE OF THAT CERTAIN ROAD RIGHT OF WAY ABANDONED BY THE CITY OF TEMPE IN ORDINANCE NO. 911 AND RECORDED IN DOCKET 15785, PAGES 734 AND 735, MARICOPA COUNTY RECORDS;

THENCE NORTH 00 DEGREES 16 MINUTES 00 SECONDS WEST, 265.00 FEET ALONG SAID WESTERLY LINE TO AN ANGLE POINT;

THENCE NORTH 45 DEGREES 12 MINUTES 40 SECONDS EAST, 28.18 FEET TO THE TRUE POINT OF BEGINNING.

**PARCEL NO. 7**

A PORTION OF THE WEST HALF OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 16;

THENCE NORTH 89 DEGREES 34 MINUTES 04 SECONDS EAST A DISTANCE OF 127.13 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 25 MINUTES 56 SECONDS WEST A DISTANCE OF 33.00 FEET;

THENCE NORTH 89 DEGREES 34 MINUTES 04 SECONDS EAST A DISTANCE OF 398.00 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT, CONCAVE NORTHEASTERLY WHOSE

RADIUS BEARS

SOUTH 84 DEGREES 01 MINUTES 34 SECONDS EAST A DISTANCE OF 59.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 96 DEGREES 29 MINUTES 04 SECONDS, AN ARC LENGTH OF 99.35 FEET;

THENCE SOUTH 00 DEGREES 25 MINUTES 56 SECONDS EAST A DISTANCE OF 7.42 FEET;

THENCE SOUTH 89 DEGREES 34 MINUTES 04 SECONDS WEST A DISTANCE OF 456.71 FEET;

THENCE NORTH 00 DEGREES 25 MINUTES 56 SECONDS WEST A DISTANCE OF 40.00 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPTING FROM PARCEL NOS. 1 THRU 7 ABOVE ANY PORTION OF THOSE PREMISES CONVEYED TO HOF-BILTMORE RIO SALADO II, L.L.C. IN RECORDING NO. 2005-0258150.

TOTAL AREA IS 9.72 GROSS ACRES.

**Section 2.** Further, those conditions of approval imposed by the City Council as part of Case PAD08003 are hereby expressly incorporated into and adopted as part of this ordinance by this reference.

**Section 3.** Pursuant to City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

**WHEN RECORDED RETURN TO:**

**City of Tempe  
Development Services Dept  
c/o Kevin O'Melia  
31 East 5<sup>th</sup> Street  
Tempe, Arizona 85281**

**WAIVER OF RIGHTS AND REMEDIES  
UNDER A.R.S. §12-1134**

This Waiver of Rights and Remedies under A.R.S. § 12-1134 (Waiver) is made in favor of the City of Tempe (City) by \_\_\_\_\_  
\_\_\_\_\_(Owner/s).

Owner acknowledges that A.R.S. § 12-1134 provides that in some cases a city must pay just compensation to a land owner if the city approves a land use law that reduces the fair market value of the owner's property (Private Property Rights Protection Act).

Owner further acknowledges that the Private Property Rights Protection Act authorizes a private property owner to enter an agreement waiving any claim for diminution in value of the property in connection with any action requested by the property owner.

Owner has submitted Application No. \_\_\_\_\_ to the City requesting that the City approve the following:

- \_\_\_\_\_ GENERAL PLAN AMENDMENT
- \_\_\_\_\_ ZONING MAP AMENDMENT
- PAD OVERLAY
- \_\_\_\_\_ HISTORIC PRESERVATION DESIGNATION/OVERLAY
- \_\_\_\_\_ USE PERMIT
- \_\_\_\_\_ VARIANCE
- \_\_\_\_\_ DEVELOPMENT PLAN REVIEW
- \_\_\_\_\_ SUBDIVISION PLAT/CONDOMINIUM PLAT
- \_\_\_\_\_ OTHER \_\_\_\_\_

*(Identify Action Requested))*

for development of the following real property (Property):

Parcel No. \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(Legal Description and Address)*

By signing below, Owner voluntarily waives any right to claim compensation for diminution in Property value under A.R.S. §12-1134 that may now or in the future exist if the City approves the above-referenced Application, including any conditions, stipulations and/or modifications imposed as a condition of approval.

This Waiver shall run with the land and shall be binding upon all present and future owners having any interest in the Property.

This Waiver shall be recorded with the Maricopa County Recorder's Office.

Owner warrants and represents that Owner is the fee title owner of the Property, and that no other person has an ownership interest in the Property.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
(Signature of Owner) (Printed Name)

\_\_\_\_\_  
(Signature of Owner) (Printed Name)

State of Arizona )  
 ) ss  
County of \_\_\_\_\_ )

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2008, by

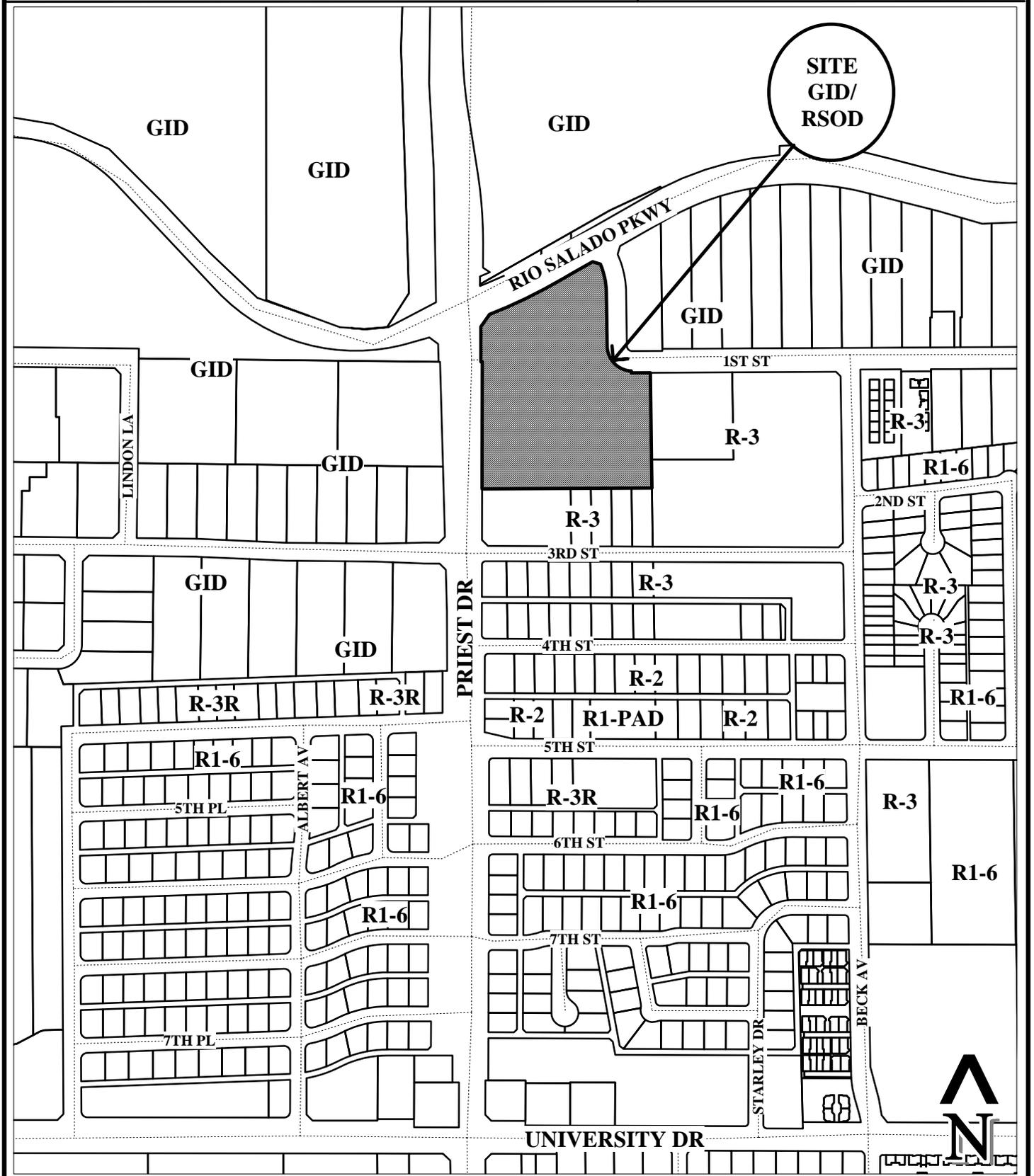
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Signature of Notary)

(Notary Stamp)

TEMPE LANDING

PL070508





TEMPE LANDING (PL070508)

# TEMPE LANDING

## Applicant's Letter of Intent

The McShane Corporation (the "Applicant") is proposing to redevelop approximately 9.72 gross acres located at the southeast corner of Priest Drive and Rio Salado Parkway (the "Site"). The McShane Corporation ("McShane"), based in Chicago with a regional office in Phoenix, is the nationally recognized real estate development and investment arm of the McShane Companies. McShane specializes in the development of office business parks. McShane has developed several office business park projects throughout Maricopa County and is currently under construction of a Class A, 190,000 square foot office building at the northeast corner of 44<sup>th</sup> Street and Washington. Other McShane projects in Maricopa County include East Gateway Centre, a 230,000 square foot Class A office complex located at the northeast corner of 44<sup>th</sup> Street and Van Buren, and Thunderbird Office Park @ 101, a 150,000 square foot Class A suburban office complex located at the Loop 101 and Thunderbird Road.

## Application

The Applicant is submitting a planned area development (PAD) overlay application as part of the Applicant's application for the redevelopment of the site (the "Application"). The goal of the Applicant is to create a vibrant office development that will provide employment opportunities within close proximity to housing and services, enhance street activity on both Priest Drive and Rio Salado Parkway, and serve as a gateway to Tempe Town Lake and the City itself. The Applicant will process a design review application at a later date.

The Site is a prime opportunity for redevelopment given its nearby location to the recently completed Tempe Center for the Arts, as well its proximity to Tempe Town Lake, Rio Salado Park, Tempe Beach Park, downtown Tempe, and Arizona State University. In addition, the Site is located less than one mile from the Priest and Washington light rail station and is less than two miles from Sky Harbor International Airport.

The southeast portion of the Site currently accommodates the offices and associated facilities of Wilson Electric, while the remaining areas are vacant. The Applicant proposes to replace the existing 35-foot tall Wilson Electric building with two (2) six-story, 101 feet, Class A office buildings with a combined total gross floor area of 420,406 square feet and a seven-level parking garage (the "Project"). The Project will be branded "Tempe Landing." The Project's goal is to create a recognizable place of employment with architectural elements designed to withstand style and market changes without diverting additional traffic into the surrounding neighborhoods and to respect the privacy and quality of life of adjacent residents.

## PAD Development Standards

The General Industrial District (GID) allows a maximum building height of 35 feet. This Application requests a maximum building height of 101 feet, which represents an increase of 66

MAR 25 2008

3/20/2008

additional feet of building height from the height allowed under the Site's current zoning, the (GID). The increase in building height proposed by this Application is consistent with the surrounding height and development around the Town Lake. The height and density of the office building will provide desired additional viable long-term employment opportunities in Tempe and enhance the urban development environment envisioned for the area, as well as serve as a catalyst for future redevelopment opportunities along Rio Salado Parkway.

### **Site Area**

The Site is comprised of seven parcels located at the southeast corner of Priest Drive and Rio Salado Parkway in Tempe, Arizona. The Site consists of approximately 9.72 gross acres (7.68 net acres). The formal address is 125 South Priest Drive, Tempe. A full legal description for the Site is included in the Application submittal.

### **Area Context**

The Site is located at the southeast corner of Priest Drive and Rio Salado Parkway. An office building and two six-story hotels (Springhill Suites and Hyatt Place) are located to the west across Priest Drive, while a City of Tempe Service Facility is located to the north across Rio Salado Parkway. The planned third phase of the Riverside Office Plaza is located to the east immediately across First Street. This phase consists of a four-story, 124,000 square foot office building. Apartment complexes, condominiums, villa units and single-family residences are located adjacent to the Site's south and east property lines. Both the Tempe Center for Arts and Rio Salado Park are located within one-half mile from the Site, while downtown Tempe, Tempe Beach Park, Arizona State University's Main Campus, and the future Priest and Washington light rail station are all located within approximately one-mile or less. The Applicant envisions that the Project will significantly enhance the area's urban environment and serve as a catalyst for future redevelopment opportunities along Rio Salado Parkway while respecting the residential character of the adjacent Sunset Riverside Neighborhood.

### **Planning Context**

#### **General Plan 2030**

The land use projected for the Site by General Plan 2030 is Commercial (work). According to General Plan 2030, the Commercial (work) category is designed to accommodate land that is used primarily for working and many types of buildings, including offices. The Project will provide ample opportunities for working and is exactly the type of employment use envisioned by General Plan 2030 for the Site. The Applicant is proposing two Class A office buildings oriented towards Priest Drive and Rio Salado Parkway that have been designed to mitigate adverse impacts on adjacent residential uses while providing additional employment opportunities for the Tempe community.

MAR 25 2008

## **Current Zoning & Specific Plans**

The Site is currently zoned General Industrial District (GID) and is located within the Rio Salado Overlay District. The GID, one of three City of Tempe Zoning and Development Code office/industrial districts, is designed to provide for office/industrial business with facilities ranging from administrative and research institutions to assembly and production. The purpose of the Rio Salado Overlay District is to implement the policies of the Tempe Rio Salado Specific Plan. The Project's office use is consistent with the GID and Rio Salado Overlay District.

The Application is for a PAD Overlay to allow the Project to establish its own unique standards based on the development proposal.

## **Project Description**

The Site currently consists of a two-story office building and vacant land. The office building is the offices for Wilson Electric. The owner and Applicant are working with Wilson Electric to find an alternative site in Tempe. Given the suburban nature of the Wilson Electric offices, we believe this Site is significantly under utilized. The intent of this Application is to provide a unique opportunity to energize both the Priest Drive and Rio Salado Parkway street frontages and provide much needed additional modern, high-quality office opportunities. Due to the Site's proximity to downtown Tempe, the ASU Campus, Sky Harbor International Airport, multiple parks (including Rio Salado Park, Tempe Beach Park, and Papago Park), and public transit routes, the Applicant strongly believes that the Project will appeal strongly to office space users seeking Class A office space within an urban environment.

The Application consists of the construction of two (2) six-story (101 feet) office buildings and a seven-level (96 feet) parking structure containing 1,447 parking spaces. The construction on the Site will occur in two phases, with the north office building and west half of the garage being constructed in the first phase. Currently, it is anticipated that construction on the first phase will begin during the first quarter of 2009 and will be completed by the first quarter of 2010. The construction of the second phase depends on some extent to the absorption rates of the first phase. We anticipated that the second phase construction will be completed during the second half of 2011. This schedule could change based on market conditions.

The project is a contemporary design that will fit well into the physical environment and utilize similar materials to the Hayden Ferry Lakeside project to the east. The office buildings are oriented towards Priest Drive and Rio Salado Parkway respectively while the parking structure is located at the southeast corner of the Site. The building's orientation and the provision of ample landscaping will successfully activate the Site's street frontage. Breaking up the building form into two buildings will also reduce the bulk and scale of the development while maintaining a significant urban presence along the street frontage at the same time.

The location of the parking structure, as well as the at-grade parking, will ensure that views of parking provided on site from both Priest Drive and Rio Salado Parkway are partial at best. Restricting and stepping back the height of the parking garage located at the southeast corner of the Site to the maximum extent feasible combined with the significant landscape setback to be provided

along the south and east property lines will also help to ensure that the privacy of adjacent residences is maintained. The parking garage's lighting will be designed to provide a secure well-lit environment while not allowing light to be projected towards adjacent residences.

### **Site Circulation and Parking**

Access to the parking garage and at-grade courtyards will be provided from both Priest Drive and First Street via two driveways located along both Priest Drive and First Street. The parking garage will serve the parking needs for all employees. At-grade courtyards will primarily serve the parking needs of visitors. The Project also includes a significant number of bicycle parking spaces and will certainly encourage alternative forms for transportation.

The on-site circulation is designed to direct traffic onto major arterials and away from the adjacent residential neighborhoods.

A traffic study prepared by CivTech Engineering for the Site is included as part of this Application.

### **Sunset Riverside Neighborhood**

For informational purposes, the Applicant attended the Sunset Riverside Neighborhood Meeting in November 2007 and provided a brief overview presentation of the Project.

### **FAA Notice of Proposed Construction or Alteration**

Since the Site is located within close proximity of the flight path for Sky Harbor International Airport, the Applicant has filed a notice of proposed construction or alteration with the Federal Aviation Administration (FAA). The FAA has issued a Determination of No Hazard for this Project. We have included a copy of the No Hazard Determination with this Application.

### **Conclusion**

The proposed development is a high-quality office design that will provide desired additional viable long-term high-quality and high-paying employment opportunities to both the surrounding neighborhoods and City of Tempe. The proposed development will serve as a catalyst for future redevelopment opportunities and enhance the urban development environment and experience envisioned for this area. The Project is consistent with the land use projected for the Site by General Plan 2030. McShane is very excited about this project and looks forward to discussing the proposal with you in the near future. We respectfully request your support.





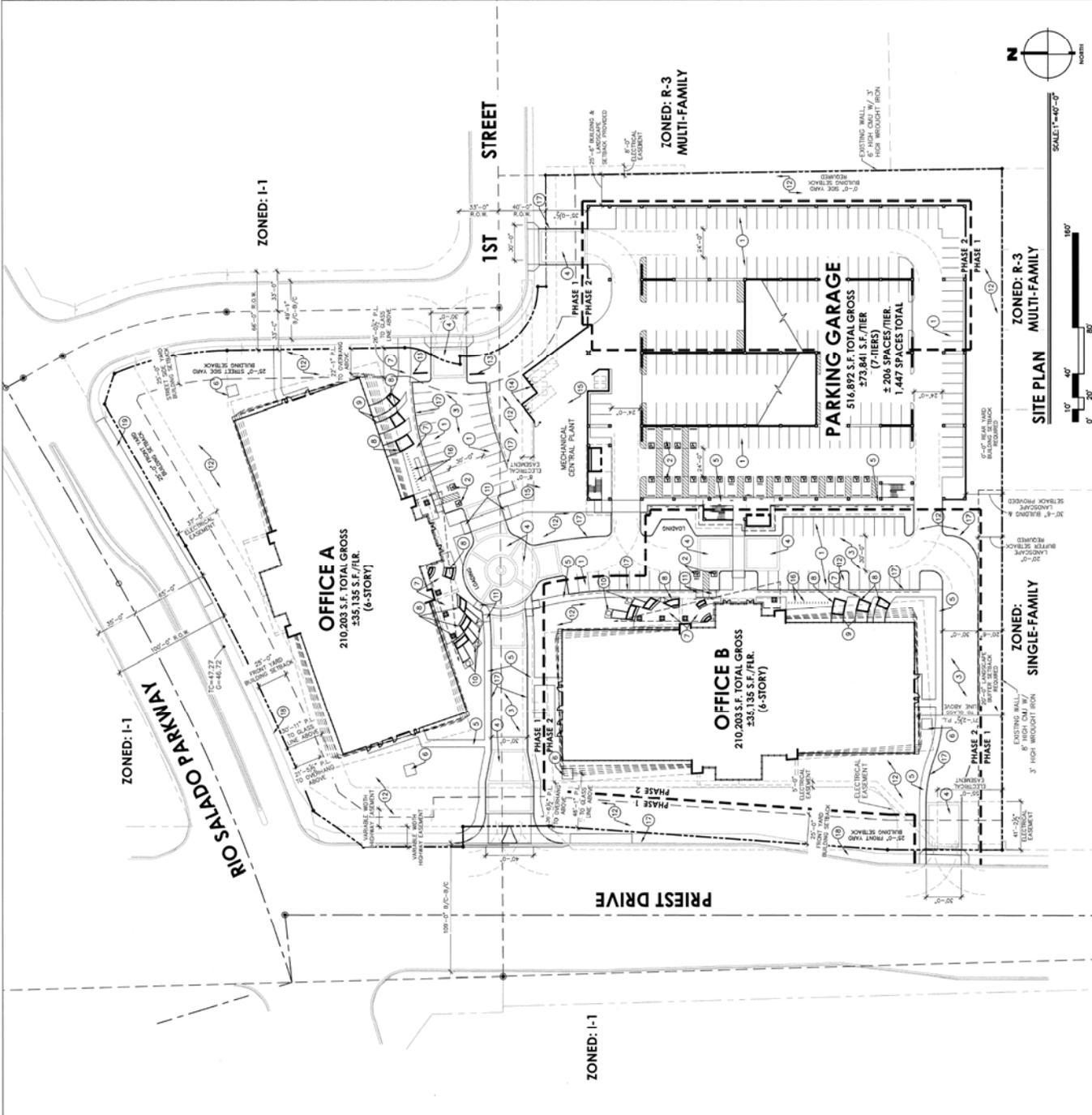
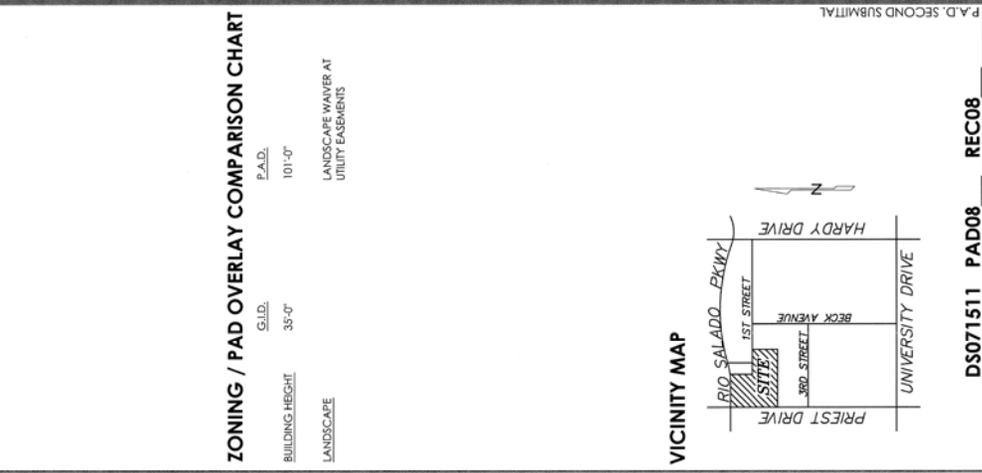
**KEYNOTES**

- CITY OF TEMPE STANDARD PARKING STALL 8'-6" W. x 16'-0" L. W/ 2'-0" OVERHANG (TYP.)
- CITY OF TEMPE ACCESSIBLE PARKING STALL (TYP.)
- CITY OF TEMPE STANDARD CONCRETE PAVEMENT (TYP.)
- CONCRETE PAVERS, COLOR & TYPE T.B.D.
- 6" WIDE, INTEGRAL COLOR CONCRETE SIDEWALK W/ MEDIUM SALT FINISH.
- TRAFFIC SIGN LOCATION, SEE ELECTRICAL
- 4" THICK, INTEGRAL COLOR, CONCRETE HARDSCAPE WITH MEDIUM SALT FINISH, COLOR T.B.D.
- 4" HIGH INTEGRAL COLOR CMU RAISED PLANTER WALL WITH PRECAST INTEGRAL COLOR CONCRETE LANDSCAPE HEADER, COLOR T.B.D.
- PRECAST CONCRETE BALL, 12" DIA. (TYP.)
- LANDSCAPE ADA ACCESSIBLE RAMP
- LANDSCAPE ADA ACCESSIBLE
- 3" H. INTEGRAL COLOR CMU SCREEN WALL
- 10'-4" H. INTEGRAL COLOR CMU SCREEN WALL
- 22'-4" H. INTEGRAL COLOR CMU SCREEN WALL AND MECHANICAL BIKE RACK, PER CITY OF TEMPE REQUIREMENTS.
- EXISTING 8" WIDE SIDEWALK TO REMAIN.
- NEW 8" WIDE SIDEWALK TO MATCH EXISTING.

**ZONING / PAD OVERLAY COMPARISON CHART**

BUILDING HEIGHT	G.L.D.	P.A.D.
35'-0"	35'-0"	101'-0"

LANDSCAPE WAIVER AT UTILITY EXHIBITS





**PHArchitecture**

Ponick Hayes Architecture  
 1526 North 71st Street  
 Suite 200  
 Scottsdale, Arizona 85254  
 P: 480.556.9000  
 F: 480.556.9490  
 www.pharchitecture.com  
**Mchane**

**TEMP LANDING**  
 125 South Priest Drive  
 Tempe, Arizona 85281

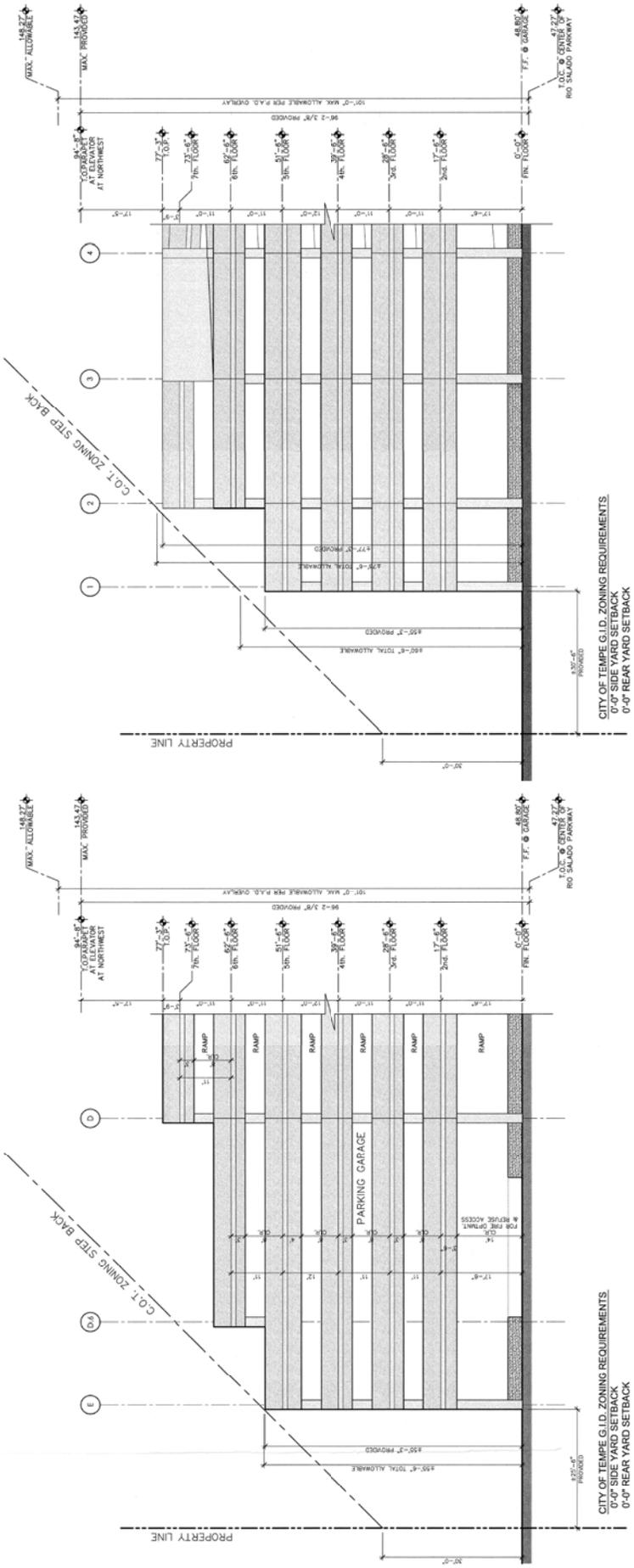
PROJECT NO.	07-124
SHEET SCALE	3/32"=1'-0"
DATE	07/24/11
DESIGNED BY	BF
CHECKED BY	
DATE	2.29.2008
PROJECT	PH ARCHITECTURE
TITLE	ZONING
STEP-BACK	STEP-BACK
EXHIBIT	EXHIBIT

**A1.2**

P.A.D. SECOND SUBMITTAL

**ZONING / PAD OVERLAY COMPARISON CHART**

BUILDING HEIGHT	35' 0"	P.A.D.	101' 0"
LANDSCAPE	LANDSCAPE	LANDSCAPE	LANDSCAPE
		LANDSCAPE	LANDSCAPE
		LANDSCAPE	LANDSCAPE



**01** G.I.D. STEP BACK @ GARAGE @ SOUTH PROPERTY LINE

**02** G.I.D. STEP BACK @ GARAGE @ EAST PROPERTY LINE











**KEYNOTES**  
 NOTE: ALL KEYNOTES APPLY TO ALL SHEETS.  
 1. SEE ROOM W/ 1-HR RATED WALL ENCLOSURE, UL DESIGN NO. U430  
 2. STAIR SHAFT W/ 2-HR SHAF WALL ENCLOSURE, UL DESIGN NO. U430 W/ 2-HR WALL ENCLOSURE, UL DESIGN NO. U430  
 3. STAIR SHAFT W/ 2-HR SHAF WALL ENCLOSURE, UL DESIGN NO. U430 W/ 2-HR WALL ENCLOSURE, UL DESIGN NO. U430  
 4. METAL STUD FLOORING, 1/2" MIN. WALL ENCL. PER UL DESIGN NO. U438 W/ 5/8" CTP, BD. O/1  
 5. 1/2" MIN. METAL STUD FLOORING  
 6. THYSSEN KRUPP (OR EQL.), 4000 LB., 350 FPM. OVERHEAD TRACTION SERVICE ELEVATOR  
 7. THYSSEN KRUPP (OR EQL.), 4000 LB., 350 FPM. OVERHEAD TRACTION SERVICE ELEVATOR  
 8. THYSSEN KRUPP (OR EQL.), 4000 LB., 350 FPM. OVERHEAD TRACTION SERVICE ELEVATOR  
 9. 2"x2" CONCRETE COLUMN, SEE STRUCT. DRAWING  
 10. 2"x2" CONCRETE COLUMN, SEE STRUCT. DRAWING  
 11. A.C.M. PANEL SYSTEM OVER 1/2" MIN. WALL ENCL. PER UL DESIGN NO. U438 W/ 5/8" CTP, BD. O/1  
 12. 1/2" MIN. METAL STUD FLOORING  
 13. 1/2" MIN. METAL STUD FLOORING  
 14. ELECTRICAL S.E.S. LOCATION, SEE ELECTRICAL DRAWING  
 15. GLAZING PER SCHEDULE, WINDOW SYSTEM W/ GLAZING PER SCHEDULE  
 16. GLAZING PER SCHEDULE, WINDOW SYSTEM W/ GLAZING PER SCHEDULE  
 17. WALL MOUNTED FIRE DEPARTMENT CONNECTION PER SCHEDULE  
 18. WALL MOUNTED FIRE DEPARTMENT CONNECTION PER SCHEDULE  
 19. WALL MOUNTED FIRE DEPARTMENT CONNECTION PER SCHEDULE  
 20. SYSTEM WITH PAINTED PIPE RAINING SYSTEM  
 21. INDEPENDENT ROOF AND OVERFLOW DRAIN SYSTEM WITH 2" DIA. DRAIN PIPE, 1/2" DIA. DRAIN FITTING, MAIN DRAIN TO UNDERGROUND  
 22. INDEPENDENT ROOF AND OVERFLOW DRAIN SYSTEM WITH 2" DIA. DRAIN PIPE, 1/2" DIA. DRAIN FITTING, MAIN DRAIN TO UNDERGROUND  
 23. INDEPENDENT ROOF AND OVERFLOW DRAIN SYSTEM WITH 2" DIA. DRAIN PIPE, 1/2" DIA. DRAIN FITTING, MAIN DRAIN TO UNDERGROUND  
 24. INDEPENDENT ROOF AND OVERFLOW DRAIN SYSTEM WITH 2" DIA. DRAIN PIPE, 1/2" DIA. DRAIN FITTING, MAIN DRAIN TO UNDERGROUND  
 25. SHANGHAI LOCATION, SEE FIRE SPRINKLER DRAWING  
 26. SHANGHAI LOCATION, SEE FIRE SPRINKLER DRAWING  
 27. LINE OF HIGH CANOPY FEATURE OVERHEAD.

**GENERAL NOTES**  
 A. ALL SIGNAGE TO BE PROCESSED AS A  
 B. ALL ARCHITECTURAL METALWORK TO BE GROUND  
 C. ALL ARCHITECTURAL METALWORK TO BE GROUND  
 D. ALL ARCHITECTURAL METALWORK TO BE GROUND  
 E. ALL ARCHITECTURAL METALWORK TO BE GROUND  
 F. ACCEPT FLOORING PER SSPC-SP13 / MACEI  
 G. ACCEPT FLOORING PER SSPC-SP13 / MACEI  
 H. ALL INTERIOR DOORS TO BE 3'-0" x 8'-0" SOLID  
 I. PROVIDE 1-HR SEPARATION, SMOKE CONTROL, & STAND-BY POWER AT LOBBY PER ATRMUM REQUIREMENTS PER IBC SECTION 1004.

**TEMPLE LANDING**  
 125 South Priest Drive  
 Tempe, Arizona 85281

PROJECT NO. 07-124  
 SHEET NO. 1/16"=1'-0"  
 DRAWING NO. 07124 A2-01\_A2-06  
 DATE: 2.29.2008  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

PH Architecture  
 15849 North 21st Street  
 Scottsdale, Arizona 85254  
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 WWW.PHARCHITECTURE.COM

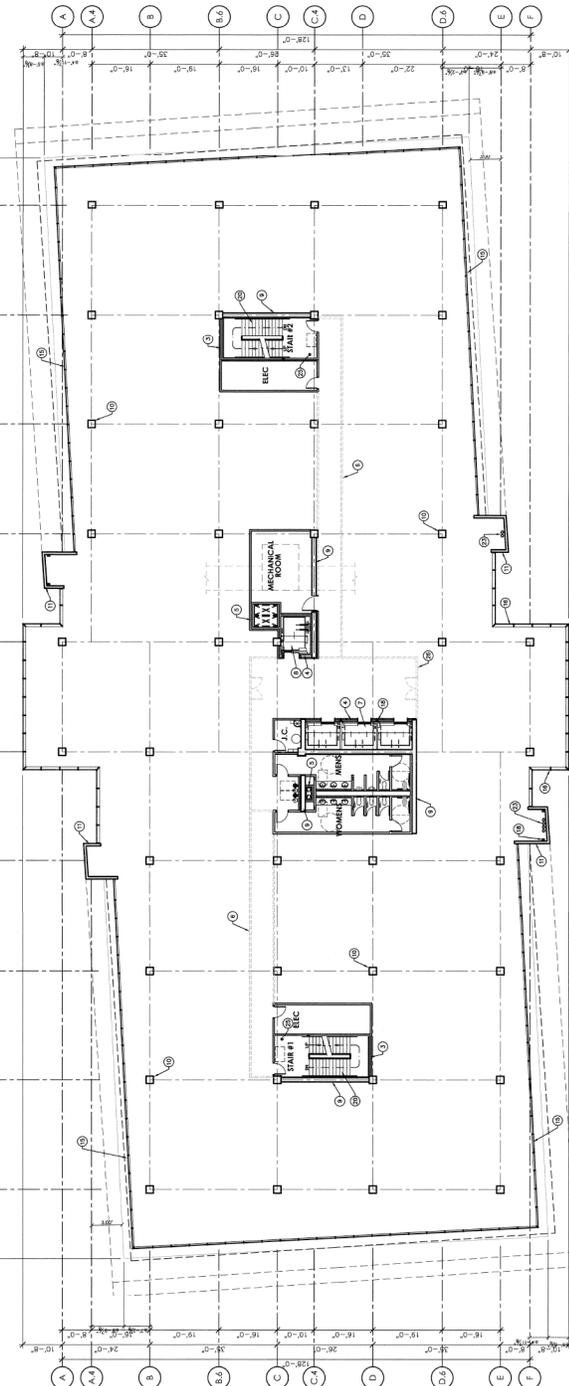
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**FIFTH FLOOR PLAN**  
 SCALE: 1/16"=1'-0"



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P.A.D. FIRST SUBMITTAL

SHEET NO. A2.5

FIFTH FLOOR PLAN

DATE: 2.29.2008

DRAWN BY: [Name]

CHECKED BY: [Name]

PROJECT NO. 07-124

SHEET NO. 1/16"=1'-0"

DRAWING NO. 07124 A2-01\_A2-06





**P.H.A. Architecture**

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**Mchane**

**TEMPLE LANDING**

125 South Priest Drive  
 Tempe, Arizona 85281

REV.	DATE	DESCRIPTION

PROJECT NO: 07-124  
 SHEET TITLE: 1/FIRST FLOOR  
 DRAWING CODED BY: 07124 A2-08\_A2-14

DATE: 2.29.2008  
 SHEET NO: 1/FIRST FLOOR  
 PROJECT: TEMPLE LANDING

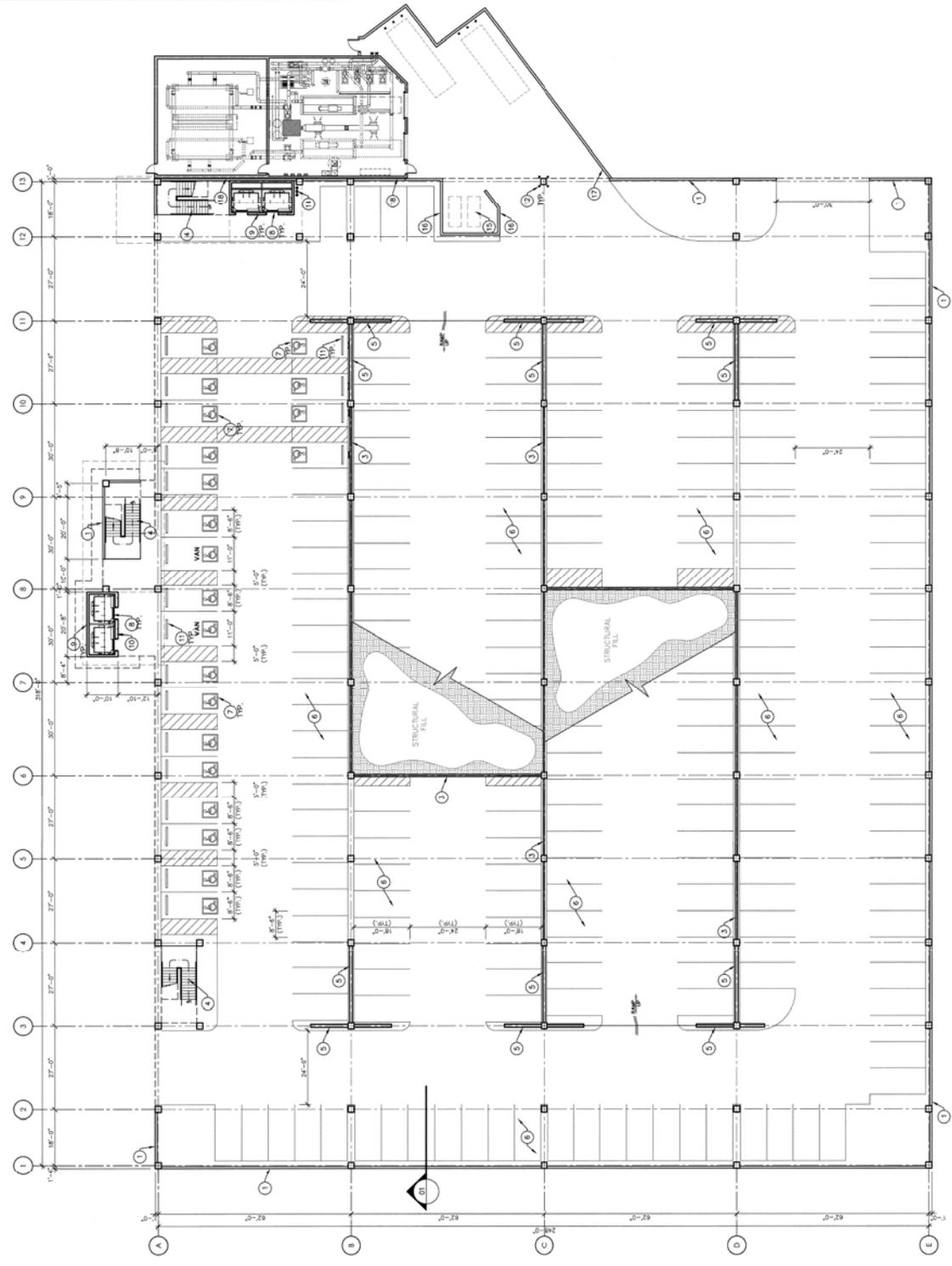
DATE: 2.29.2008  
 SHEET NO: 1/FIRST FLOOR  
 PROJECT: TEMPLE LANDING

**A2.8**

P.A.D. SECOND SUBMITTAL

- KEYNOTES**
- NOTE: GENERAL GARAGE FLOOR PLAN KEYNOTES. (NOT ALL KEYNOTES APPLY TO ALL SHEETS.)
- 3'-0" H. INTEGRAL COLOR, SPLIT-FACE CMU WALL WITH #4 INTEGRAL COLOR, SMOOTH CMU CAP.
  - PANEL TYPE OR PRE-CAST SPANDREL.
  - CMU RETAINING WALL. SEE STRUCT. DRAWING FOR DETAIL.
  - SYSTEM WITH PAINTED PIPE HANGING SYSTEM.
  - 8'-0" W. x 15'-0" L. W/ 2'-0" OVERHANG (TYP.)
  - DISSIM. KNUFF (OR EQL. 4000 LB., 300 TYP.)
  - INTERNAL INTEGRAL COLOR CMU AT FRONT OF GARAGE.
  - INTERNAL INTEGRAL COLOR CMU AT FRONT OF GARAGE.
  - PRE-CAST CONCRETE FILL PIPE BOLLARD.
  - 3/4" DIA. CONCRETE FILL PIPE BOLLARD.
  - AMERGENCY GENERATOR LOCATION. SEE ELECTRICAL DRAWING FOR LOCATION.
  - 16'-0" H. INTEGRAL COLOR CMU SCREEN WALL.
  - 10'-0" H. INTEGRAL COLOR CMU SCREEN WALL.
  - WALL & MECHANICAL ROOM ENCLOSURE.

- GENERAL NOTES**
- ALL WALLS TO BE PAINTED BRIGHT WHITE. PER CITY OF TEMPE REQUIREMENTS.
  - PER CITY OF TEMPE REQUIREMENTS.



**FIRST FLOOR PLAN**

SCALE: 1/16"=1'-0"













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